

8. Ms. Davis was not at that time employed by SourceOne. I learned later that Ms. Davis had left the employ of SourceOne on or about August 15, 2002.

9. It was not until sometime thereafter in the fall of 2002 that I became aware that Ms. Davis, on August 27, 2002, had filed a complaint with the Massachusetts Commission Against Discrimination.

10. Ms. Davis is physically aggressive and has a strong, foul mouth. During the course of her term with Baystate she had several loud and threatening arguments with at least one of our tenants, a Ms. Lucretia Marshall.

11. Around this same time Ms. Davis also had a violent encounter with Mr. Michael Hall, during which time it was reported that Ms. Davis stabbed Mr. Hall. Ms. Davis was arrested on the complex premises, on working time, and charged in Springfield with assault and battery with a dangerous weapon.

12. In January 2003, when I became aware that Ms. Davis might have an interest in her old position with Baystate, she was offered her job back, through attorneys, on condition that she engage in anger management training. She declined.

Signed under pains and penalties of perjury this 15th day of September, 2006.


Sal D'Aquila

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CATALINA DAVIS,

Plaintiff

Y.

CARABETTA,

Defendant

Civil Action number 05-30112-MAP

AFFIDAVIT OF SAL D'AQUILA

I, Sal D'Aquila, being duly sworn, do depose and state:

1. I am the regional manager for Carabetta Management Company and Baystate Property Management Company. I am responsible for hiring, terminating, and other personnel decisions.
2. Baystate Property Management Company manages the apartment complexes where Catalina Davis was employed as a cleaner from June 2001 through June 21, 2002, when she was let go in anticipation of SourceOne, a maintenance company, contracting out cleaning and upkeep responsibilities for the complexes. SourceOne's contract began June 24, 2002.
3. All cleaning and related support staff (twelve people) with the exception of one person (Allan Kelly) were laid off when SourceOne assumed responsibilities. Kelly was held on to facilitate the transition to SourceOne.
4. During the course of the transition, Ms. Davis made several phone calls directly to me, apparently in fear that her job would be lost.
5. To the best of my recollection, all personnel who lost their job as a result of the transition to SourceOne were offered a position with SourceOne. Ms. Davis did in fact go to work for SourceOne.
6. Other than asking that SourceOne offer positions to those employees who were displaced as a result of the contract between Baystate Property and SourceOne, I had no control of SourceOne's operations or the hiring, assignment or retention of their personnel.
7. SourceOne's relationship with Baystate Property came to an end on August 26, 2002. During the next eight days, five of twelve former Baystate employees who were still then working for SourceOne were offered positions with Baystate.